

HOUSE BILL 106

Unofficial Copy
Q5

2001 Regular Session
(11r0869)

ENROLLED BILL
-- Ways and Means/Budget and Taxation --

Introduced by **Delegates Rosso, Busch, Wood, Taylor, Patterson, Conroy, and Love**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Motor Homes and Travel Trailers - Vehicle Excise Tax - Definitions**

3 FOR the purpose of altering the definition of "fair market value" and "total purchase
4 price" for purposes of the vehicle excise tax imposed on a motor home or a travel
5 trailer to exclude from the computation of the tax, subject to a certain limitation,
6 the value of a motor home or travel trailer traded in as part of the consideration
7 for the sale of the motor home or travel trailer by a ~~licensed dealer~~ certain
8 licensed dealers; authorizing the Department of Business and Economic
9 Development to develop and implement, in cooperation with certain entities, a
10 marketing and tourism plan to promote the use of motor homes and travel
11 trailers in the State; providing that the definitions modified by this Act do not
12 apply to the calculation of the vehicle excise tax imposed on a motor home or a
13 travel trailer until certain bonds are no longer outstanding and unpaid;
14 requiring the Motor Vehicle Administration to collect a reduced motor vehicle
15 excise tax on certain vehicles in certain fiscal years; providing for the
16 application of this Act; providing for the termination of certain provisions of this

1 Act; and generally relating to motor homes and travel trailers.

2 BY repealing and reenacting, without amendments,
3 Article - Transportation
4 Section 11-134.3 and 11-170
5 Annotated Code of Maryland
6 (1999 Replacement Volume and 2000 Supplement)

7 BY repealing and reenacting, with amendments,
8 Article - Transportation
9 Section 13-809(a)
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2000 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Transportation**

15 11-134.3.

16 "Motor home" means a motor vehicle that is designed and constructed primarily
17 to provide living quarters for recreational, camping, or travel use.

18 11-170.

19 (a) "Travel trailer" means a vehicle that:

20 (1) Is mounted on wheels;

21 (2) Is of such a size and weight as not to require any special highway
22 movement permit when towed by a motor vehicle;

23 (3) Is designed and constructed primarily to provide temporary living
24 quarters for recreational, camping, or travel use; and

25 (4) Is no longer than 40 feet.

26 (b) "Travel trailer" includes a fifth wheel travel trailer.

27 13-809.

28 (a) (1) In this section the following words have the meanings indicated.

29 (2) "Fair market value" means:

30 (i) [As] EXCEPT AS PROVIDED IN ITEM (IV) OF THIS PARAGRAPH,
31 AS to the sale of any new or used vehicle by a licensed dealer, the total purchase price,
32 as certified by the dealer;

1 (ii) As to a used vehicle that is sold by any person other than a
 2 licensed dealer and that has a designated model year that is 7 years old or older, the
 3 greater of:

4 1. The total purchase price; or

5 2. \$640;

6 (iii) As to any other used vehicle that is sold by any person other
 7 than a licensed dealer:

8 1. The total purchase price, if the total purchase price is less
 9 than \$500 below the retail value of the vehicle as shown in a national publication of
 10 used car values adopted for use by the Department; or

11 2. If the total purchase price is \$500 or more below the retail
 12 value of the vehicle as shown in a national publication of used car values adopted for
 13 use by the Department:

14 A. The total purchase price, if verified to the satisfaction of
 15 the Administration by a notarized bill of sale submitted in accordance with subsection
 16 (d)(2) of this section; or

17 B. The valuation shown in the national publication of used
 18 car values, if the Administration finds that the documentation submitted under
 19 subsection (d)(2) of this section fails to verify the total purchase price; [and]

20 (iv) AS TO THE SALE OF ANY NEW OR USED MOTOR HOME OR
 21 TRAVEL TRAILER BY A LICENSED DEALER, OR A DEALER LICENSED BY ANOTHER
 22 STATE OR A FOREIGN COUNTRY, THE TOTAL PURCHASE PRICE, AS DEFINED IN
 23 PARAGRAPH (4)(II) OF THIS SECTION, AS CERTIFIED BY THE DEALER ON A FORM
 24 ACCEPTABLE TO THE ADMINISTRATION; AND

25 (V) In any other case, the valuation shown in a national publication
 26 of used car values adopted for use by the Department.

27 (3) "MOTOR HOME" HAS THE MEANING STATED IN § 11-134.3 OF THIS
 28 ARTICLE.

29 (4) "Total purchase price" means [the]:

30 (I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS PARAGRAPH, THE
 31 price of a vehicle agreed on by the buyer and the seller, with no allowance for trade-in
 32 or other nonmonetary consideration; AND

33 (II) IN THE CASE OF A MOTOR HOME OR TRAVEL TRAILER, THE
 34 PRICE OF THE MOTOR HOME OR TRAVEL TRAILER AGREED ON BY THE BUYER AND
 35 THE SELLER LESS THE VALUE, NOT TO EXCEED THE VALUE SHOWN IN A NATIONAL
 36 PUBLICATION OF USED MOTOR HOME AND TRAVEL TRAILER VALUES ADOPTED FOR

1 USE BY THE DEPARTMENT, OF ANY MOTOR HOME OR TRAVEL TRAILER THAT IS
2 TRADED IN AS PART OF THE CONSIDERATION OF THE SALE.

3 (5) "TRAVEL TRAILER" HAS THE MEANING STATED IN § 11-170 OF THIS
4 ARTICLE.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Department of
6 Business and Economic Development, in cooperation with the Maryland Recreational
7 Vehicle Dealers Association and other interested trade associations and tourism
8 boards, may develop and implement a marketing and tourism plan to promote the use
9 of motor homes and travel trailers in Maryland.

10 SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the
11 provisions of Section 1 of this Act, the modified definitions of "fair market value" and
12 "total purchase price" for the purposes of the calculation of the motor vehicle excise
13 tax imposed on a motor home or a travel trailer under § 13-809(a) of the
14 Transportation Article as enacted under Section 1 of this Act do not apply until any
15 Consolidated Transportation Bonds that were issued by the Department of
16 Transportation before July 1, 2001 no longer remain outstanding and unpaid;
17 provided, however, that in any fiscal year for which funds are appropriated by the
18 General Assembly to pay the principal of and interest on the Department of
19 Transportation's Consolidated Transportation Bonds due and payable in that fiscal
20 year, the Motor Vehicle Administration shall collect the reduced motor vehicle excise
21 tax imposed on a motor home or a travel trailer by utilizing the modified definitions
22 as enacted under Section 1 of this Act.

23 SECTION ~~3.~~ 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act
24 applies only to a motor home or travel trailer with respect to which liability for the
25 motor vehicle excise tax was incurred on or after July 1, 2001.

26 SECTION ~~4.~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect July 1, 2001. ~~Section 1~~ Sections 1 and 3 of this Act shall remain effective for a
28 period of 3 years and, at the end of June 30, 2004, with no further action required by
29 the General Assembly, ~~Section 1~~ Sections 1 and 3 of this Act shall be abrogated and of
30 no further force and effect.